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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Where Application of: Habecker et al. ) Examiner: Unassigned  
Application No.: 10/795,968 )  
Filed: March 8, 2004 ) Group Art Unit: Unassigned  
) Confirmation No.: Unassigned  
Docket No.: 99066CON2 (3600-198-02) )

For: HIGH CAPACITANCE NIOBIUM POWDERS AND ELECTROLYTIC CAPACITOR ANODES

**INFORMATION DISCLOSURE STATEMENT**  
**PURSUANT TO 37 CFR 1.97(b)**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

August 5, 2004

Sir:

The attention of the Patent and Trademark Office is hereby directed to the documents listed on the attached Form PTO-1449. Except for several U.S. patents, the documents were cited in parent Application No. 10/061,497, filed February 1, 2002. In accordance with M.P.E.P. § 609, it is not necessary to provide copies of those documents with this filing.

Since this application has a filing date after June 30, 2003, no copies of U.S. Patents/Patent Application Publications are provided.

This Information Disclosure Statement is being submitted after expiration of the three-month period following filing of the above-captioned application, but before an Office Action on the merits and before any Final Office Action or Notice of Allowance.

Should a first Office Action cross in the mail with the filing of this Information Disclosure statement, then applicants respectfully petition under 37 C.F.R. § 1.97(c) to consider the documents set forth in the Information Disclosure Statement.

The above information is presented so that the Patent and Trademark Office can, in the first

Information Disclosure Statement  
U.S. Patent Application No. 10/795,968

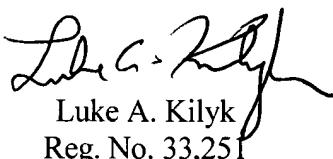
instance, determine any materiality thereof to the claimed invention. *See* 37 CFR 1.104(a) and 1.106(b) concerning the PTO duty to consider and use any such information. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the documents cited in the attached Form PTO-1449 be made of record therein and appear on the first page of any patent to issue therefrom.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in this application and applicant determines that the cited documents do not constitute "prior art" under United States law, applicant reserves the right to present to the office the relevant facts and law regarding the appropriate status of such documents.

Applicant further reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

It is believed that no fee is required to make this a complete and timely filing. However, if it is determined that a petition or fee is required, the Commissioner is hereby authorized to charge any fee associated with this statement to our Deposit Account No. 50-0925.

Respectfully submitted,



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 INFORMATION DISCLOSURE CITATION  
 (Use several sheets if necessary)

Atty. Docket No.: 99066CON (3600-198-02)

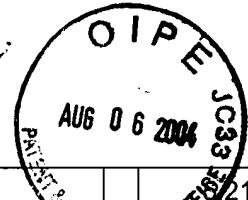
Application No.: 10/795,968

Applicant: HABECKER et al.

Filing Date: March 8, 2004 Group Art Unit: To Be Assigned

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Examiner		Date Considered	
*Examiner:	Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.		
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